

United States District Court
District of Massachusetts
Western Division

FILED
IN CLERK'S OFFICE
2005 JUL 22 P 2:38
U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TRIF Company)	
)	
Plaintiff)	
V.)	C.A. No. -04-30194-MAP
International Housewares, Inc., Chris)	
Morris d/b/a International Housewares,)	
Inc., Frank Stoegarar d/b/a Worldwide)	
Marketing, Zia Biao Xu and Zhi Xiong Xu)	
d/b/a World Link, LLC)	
Defendants)	

Motion for Entry of Default Judgments

Now comes Plaintiff TRIF Company to seek entry of judgments by default against International Housewares, Inc. and Zia Biao Xu and Zhi Xiong Xu d/b/a World Link, LLC. These parties have been defaulted for failure to plead or otherwise defend as required by the Federal Rules of Civil Procedure.

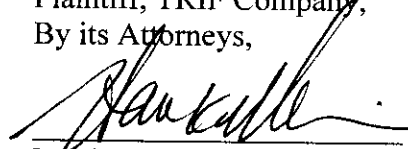
The amount of the judgments is a sum certain comprised of two items. The first is sales of the infringing product in the amount of \$7,772 as evidenced by the attached Affidavit of Stacey Morris, the authorized agent of International Housewares, Inc. These infringing products were acquired by International Housewares, Inc. from Zia Biao Xu and Zhi Xiong Xu d/b/a World Link, LLC and were sold by International Housewares, Inc. at the Big E Exposition in Springfield, Massachusetts in September 2004. The second sum certain element of damages is attorneys' fees incurred by the Plaintiff in prosecuting this

matter. These fees total \$11,250 as evidenced by the attached Affidavit of Harris K. Weiner.

The judgment against International Housewares, Inc. should reflect this entity as a proper party. Stacey Morris on behalf of International Housewares, Inc. attended the hearing on the temporary restraining order on September 30, 2004 and entered her appearance on behalf of this corporation which Judge Ponsor added as a party to C.A. No. 04-30194-MAP.

For the foregoing reasons Plaintiff TRIF Company respectfully requests a default judgment against International Housewares, Inc. and Chris Morris d/b/a/ International Housewares, Inc. in the amount of \$19,022 plus pre-judgment interest from September 30, 2004. Plaintiff TRIF Company also requests a default judgment against Defendants Zia Biao Xu and Zhi Xiong Xu d/b/a World Link, LLC in the amount of \$19,022 plus prejudgment interest from September 30, 2005.

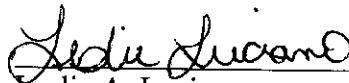
Respectfully submitted by,
Plaintiff, TRIF Company,
By its Attorneys,

A handwritten signature in black ink, appearing to read "H. Weiner", is written over a horizontal line.

Harris K. Weiner, Esq. # 551981
Law Office of Jeffrey B. Pine
321 South Main Street
Suite 302
Providence, RI 02903
Phone: (401) 351-8200
Fax: (401) 351-9032

CERTIFICATION

I, the undersigned, hereby certify that on this 20th day of July 2005, I mailed a true copy of the foregoing *Motion for Entry of Default Judgment* to Chris Morris, International Housewares, Inc., 6601 Vantor Ave. Suite 305 Vantor, NJ 08406.



Leslie A. Luciano

INTERNATIONAL HOUSEWARES INC, SALES SUMMARY FOR WORLDLINK PILLOWS**Pillow #1**

27-Sep	1265
28-Sep	605
29-Sep	1103
30-Sep	1072
	4045

Pillow #2

27-Sep	975
28-Sep	0
29-Sep	1076
30-Sep	968
	3019

Pillow #3

27-Sep	512
28-Sep	196
	708

Total for three booths

7772

Appx 370 of Billy's pillows sold

I, Stacey Morris, am a duly authorized agent of International Housewares Inc.

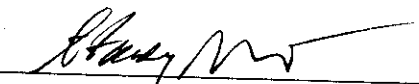
My brother is the president of the corporation, and I managed the sales operation at the BIG E.

Upon oath I state as follows:

I have personal knowledge of the attached accounting of the pillows sold.

I prepared this accounting based on actual sales figures. The accounting is accurate to the best of my knowledge and signed under the pains and penalties of perjury, this day of December 2004.

The source for these pillows and infringing packaging was known to me as Worldlink, and its principal known to me as "Billy".


STACEY MORRIS

State of New York
County of New York
12/17/04

NOTARY PUBLIC

CARLA A. FOSDIE
Notary Public, State of New York
No. 244005001

Qualified in Kings County,
Commission Expires July 21, 2006

Help List

<GENERAL SETUP MENU>

Menu Selections	Options
1.BEEPER	
2.SLEEP MODE	
3.PRINT DENSITY	
0.LOCAL LANGUAGE (Canada Only)	ENGLISH/FRENCH

<COPY MENU>

Menu Selections	Options
1.COPY MODE	AUTO/TEXT/PHOTO
2.CONTRAST	-00000+
3.PAPER TYPE	THIN/PLAIN/THICK/THICKER
4.PAPER SIZE	LETTER/LEGAL/A4

<STEPS TO SET A MENU SELECTION>

- 1) Press MENU-SET.
- 2) Using UP or DOWN, select the Main Menu, and then press MENU-SET to enter it.
(1.GENERAL SETUP, 2.COPY)
- 3) Using UP or DOWN, select the Submenu, and then press MENU-SET to enter it.
- 4) Using UP or DOWN, select the Menu Selection, and then press MENU-SET to enter it.
- 5) Using UP or DOWN, select the Option you want, and then press MENU-SET to enter it.
- 6) Press STOP/EXIT to exit.

<KEY OPERATIONS>

CLEAR SETTINGS	*Reset the temporary copy settings.
CONTRAST	*Adjust the copy contrast for the next copy.
COPY	*Make a copy.
COPY MODE	*Select the copy resolution for your type of original.
ENLARGE	*Select an enlargement ratio.
LEFT	*Return to the previous Menu level.
MENU-SET	*Access the Menu.
	*Go to the next Menu level.
	*Accept an option.
NUMERIC KEYS	*Enter the number of copies you want.
OPTIONS	*Select copy settings for the next copy.
PAPER SIZE	*Select the size of paper you loaded in the multi-purpose sheet feeder.
REDUCE	*Select a reduction ratio.
REPORTS	*Print programming instructions or your latest default settings for General Setup.
RESET	*Clear data from the printer memory.
RIGHT	*Go to the next Menu level.
SCAN TO	*Scan the next original into E-mail or other application.
SORT	*Sort multiple copies.
STOP/EXIT	*Exit the Menu.
TONER SAVE	*Reduce the print density to save costs.
UP or DOWN	*Scroll through the Menu level.